

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

A. Schulman, Inc.,	:	JUDGE PATRICIA A. GAUGHAN
	:	
Plaintiff(s),	:	CASE NO. 1:15CV1760
	:	
v.	:	
	:	<u>CASE MANAGEMENT ORDER</u>
PolyOne Corporation, et al.,	:	
	:	
Defendant(s).	:	

A Case Management Conference was held in this matter on 5/03/16. The parties and counsel of record agreed to the following, and **IT IS ORDERED** that:

1. This case is assigned to the expedited/standard/complex/administrative/mass tort case management track.

2. ____ This case **is** suitable **now** for **Mediation**.

X This case **is not** suitable for ADR at this time but may be after some discovery.

____ This case **is not** suitable for ADR at any time.

3. The parties do/ **do not** consent to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

4. Schedule Through Claim Construction

Date	Action
4/18/16	Amended initial infringement contentions (L.P.R. 3.1, 3.2)
5/23/16	Non-infringement contentions and Defendants' production of documents and samples to be tested (L.P.R. 3.3, 3.4)
7/19/16	Invalidity and unenforceability contentions (L.P.R.3.5. 3.6)
8/03/16	Exchange of initial list of claim terms for construction. (L.P.R. 4.1(a))
8/11/16	Validity and enforceability contentions and Plaintiff's production of test results (L.P.R. 3.7)
8/23/16	Final list of claim terms for construction (L.P.R. 4.1(c))

Date	Action
9/12/16	Preliminary proposed constructions and evidence in support (L.P.R. 4.2(a)(b))
9/30/16	Opening expert reports (L.P.R. 4.3(a))
10/18/16	Rebuttal expert reports (L.P.R. 4.3(b))
11/07/16	Complete expert depositions (L.P.R. 4.3(c))
11/15/16	Final claim construction submissions (L.P.R. 4.2(c))
12/05/16	Opening claim construction briefs (L.P.R. 4.4 (a)).
1/09/17	Responsive claim construction briefs (L.P.R. 4.4 (b))
1/17/17	Joint claim construction and rehearing statements (L.P.R. 4.5)

The remaining deadlines will be addressed after claim construction is concluded by the Court.

5. A **Telephonic Status Conference** is set 8/17/16 at 9:00 a.m..

6. A **Settlement Conference** is set _____ at _____. Parties and lead counsel **must** appear in person unless otherwise ordered by the Court.

Counsel shall confer within three business days of any scheduled conference to discuss outstanding issues and respective positions as to settlement. Counsel shall provide to the Court within two business days of the conference, a joint Status Report or confidential individual Status Reports describing the status of discovery, settlement positions, and issues to be addressed. The Status Report(s) need not be filed, but may be delivered via e-mail at Gaughan_Chambers@ohnd.uscourts.gov or fax at (216) 357-7215.

/s/ Patricia A. Gaughan
PATRICIA A. GAUGHAN
UNITED STATES DISTRICT JUDGE

Dated: 5/3/16